

REMARKS

In the restriction requirement mailed September 6, 2007, the Examiner required restriction of the invention to one of the following groups of claims:

- I. Claims 1-18 and 20-24, drawn to a microcapsule; and
- II. Claims 19 and 20, drawn to a method of preparing a microcapsule.

Applicant elects Group I corresponding to Claims 1-18 and 20-24, for prosecution on the merits. The Claims of Group I and Group II are related as a product and process of making. Applicant notes they have elected the product claims and that upon finding of allowable subject matter, reserve the right for rejoinder of withdrawn process claims that depend from or otherwise require all the limitations of the allowable product claims. In addition, Applicant reserves the right to pursue Group II, corresponding to Claims 19 and 20, in a subsequent divisional or continuation application.

In addition to the above restriction, the Examiner further requires election of one of the following species: assist device, or stem cell scaffold, or controlled delivery. Applicant provisionally elects liver assist device. The election reads on Claim 22. Upon allowance of a generic claim, Applicant notes they will be entitled to consideration of additional claim species which depend from or otherwise require all the limitations of an allowable generic claim.

The foregoing is submitted as a full and complete response to the restriction requirement mailed September 6, 2007, and early and favorable consideration of the claims is requested. If the Examiner believes any informalities remains in the application that may be corrected by Examiner's amendment, or there are any other issues which can be resolved by telephone interview, a telephone call to the undersigned agent at (404) 572-2447 is respectfully solicited.

No fees are believed to be due in connection with this response. The Commissioner is authorized to charge any underpayment of fees to Deposit Account No. 11-0980.

Date: October 8, 2007

Respectfully submitted,

By: **/FBN/**
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